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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,763	08/15/2001	Francesco Grilli	PA510B2B1	2384
23696	7590	09/27/2005	EXAMINER	
Qualcomm, NC 5775 Morehouse Drive San Diego, CA 92121			SAM, PHIRIN	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/930,763	Applicant(s) GRILLI ET AL.	
	Examiner Phirin Sam	Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

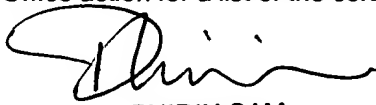
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


PHIRIN SAM
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,603,751 (hereinafter referred as “Odenwalder”).

Odenwalder discloses the invention (**claims 1-3**) as claimed including a method for performing a search excursion from an original frequency on a wideband division multiple access (WCDMA) system to a target frequency, comprising:

- (a) decoding at least one radio frame in a transmission time interval (TTI) on the original frequency (see Figs. 2-4, col. 3, lines 39-41, and col. 6, lines 17-20);
- (b) extracting a parameter value from the at least one radio frame and storing the parameter value in a memory element (see Figs. 2-4, col. 3, lines 39-46, and col. 6, lines 13-16);
- (c) tuning to a target frequency after storing the parameter value (see Figs. 3 and 4, col. 6, lines 46-49);
- (d) tuning to the original frequency (see Figs. 3 and 4, col. 6, lines 17-18);
- (e) decoding a subsequently receiving radio frame in the TTI by using the stored parameter value (see Figs. 3 and 4, col. 6, lines 21-24).

Regarding claims 4 and 5, Odenwalder discloses a method for timing a search excursion performed by a mobile station operating in a spread spectrum communications system, comprising:

- (a) detecting a first radio frame of a Transmission Time Interval (TTI) on an original frequency (see Figs. 2-4, col. 3, lines 39-41, and col. 6, lines 18-19);
- (b) extracting a plurality of indicator bits from the first radio frame (see Figs. 3 and 4, col. 6, lines 18-19);
- (c) storing the plurality of indicator bits (see Figs. 2-4, col. 3, lines 39-46);
- (d) performing the search excursion on a target frequency, wherein the search excursion ends with a return to the original frequency (see Figs. 3 and 4, col. 6, lines 8-18);
- (e) decoding a subsequent radio frame of the TTI using the stored plurality of indicator bits from the first radio frame (see Figs. 3 and 4, col. 6, lines 17-25).

Regarding claim 6, Odenwalder discloses the performing the search excursion on the target frequency comprises tuning the mobile station to the target frequency, whereupon the mobile station collects and stores signal samples from the target frequency (see Figs. 3 and 4, col. 6, lines 8-15).

Regarding claim 7, Odenwalder discloses the method for timing the search excursion further comprises increasing the amount of power allocated to the subsequent radio frame of the TTI (see Figs. 4 and 6, col. 6, lines 46-56, and col. 8, lines 5-11).

Regarding claim 8, Odenwalder discloses the method for timing the search excursion further comprises increasing the amount of power allocated to the first radio frame of the TTI (see Figs. 4 and 6, col. 6, lines 62-67, and col. 8, lines 5-11).

Regarding claims 9-11, Odenwalder discloses an apparatus for performing a timed search excursion in a wireless communication system, comprising:

- (a) at least one memory element (see Fig. 2, element 207, col. 3, lines 46-47);
- (b) a processor (see Fig. 2, element 204) configured to execute a set of instructions stored on the at least one memory element, the set of instructions for:
 - (b1) decoding at least one radio frame in a Transmission Time Interval (TTI) on the original frequency (see Fig. 2, col. 3, lines 39-41);
 - (b2) extracting a parameter value from the at least one radio frame and storing the parameter value in the at least one memory element (see Fig. 2, elements 204 and 207, col. 3, lines 41-46);
 - (b3) controlling a search excursion to a target frequency after storing the parameter value, wherein the search excursion ends with a return to the original frequency (see Fig. 3, col. 6, lines 8-18);
 - (b4) decoding a subsequently received radio frame by using the stored parameter value (see Fig. 3, col. 6, lines 18-24).

Regarding claim 12, Odenwalder discloses configured to ignore a power control command from a base station in order to implement an increase in a downlink transmission power level before performing the search excursion (see Fig. 6, col. 7, lines 55-57).

Regarding claim 13, Odenwalder discloses configured to ignore a power control command from a base station in order to implement an increase in a downlink transmission power level after performing the search excursion (see Fig. 6, col. 7, lines 55-57).

Regarding claim 14, Odenwalder discloses a method for timing a frequency search excursion in a wireless communications system having a mobile station exchanging communications with a base station, the method comprising:

- (a) determining at least one transmission parameter value from the first radio frame of the plurality of associated radio frames and storing the at least one transmission parameter value (see Fig. 2 and 3, col. 3, lines 39-47);
- (b) tuning the mobile station to the target frequency, whereupon the mobile station collects and stores signal samples from the target frequency (see Fig. 3, col. 6, lines 13-15);
- (c) tuning the mobile station to the original frequency (see Fig. 3, col. 6, lines 18-19);
- (d) processing the stored samples from the target frequency to obtain a result (see Fig. 3, col. 6, lines 21-24);
- (e) transmitting the result from processing the stored samples to the base station (see Fig. 3, col. 6, lines 24-26);
- (f) increasing the amount of power allocated to subsequently received radio frames of the plurality of associated radio frames (see Fig. 6, col. 7, lines 60-63);
- (g) decoding the subsequently received frame symbols using the stored transmission parameter value (see Fig. 7, col. 8, lines 18-20).

Regarding claim 16, Odenwalder discloses determining whether said mobile station is capable of increasing the transmission power of said information channels to the desired extent (see Fig. 6, col. 7, lines 59-65); and selectively increasing the transmission power of said

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information channels when said mobile station is not capable of increasing the transmission power of said information channels to the desired extent (see Fig. 6, col. 8, lines 5-11).

Regarding claims 17-18, Odenwalder discloses wherein selectively increasing the transmission

power of said information channels, comprises the steps of:

- (a) ranking the channels in accordance with the importance of having a non-interrupted reverse link transmission (see Fig. 6, col. 7, lines 66-67, col. 8, lines 1-4)
- (b) adjusting the transmission energies of said information channels in accordance with said ranking (see Fig. 6, col. 8, lines 5-11).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) US Patent 6,701,130 (Hamalaine et al) discloses timing method and arrangement for performing preparatory measurements for interfrequency handover.

(2) US Patent 6,147,983 (Backstrom) discloses telecommunications systems.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phirin Sam whose telephone number is (571) 272-3082. The examiner can normally be reached on Mon-Fri, 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272 - 3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully submitted,

Date: September 19, 2005

A handwritten signature in black ink, appearing to read 'Phirin Sam', written over a horizontal line.

**PHIRIN SAM
PRIMARY EXAMINER**